



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

September 21, 1995

Ms. D'Ann Johnson  
Assistant General Counsel  
Texas Department of Banking  
2601 North Lamar Boulevard  
Austin, Texas 78705-4294

OR95-977

Dear Ms. Johnson:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 34919.

The Texas Department of Banking (the "department") received a request for a copy of a certain portion of a particular examination report. You assert that the requested information is excepted from required public disclosure pursuant to sections 552.101 and 552.112 of the Government Code.

We conclude that the examination report at issue is excepted from required public disclosure based on section 552.112 of the Government Code, which excepts from disclosure "information contained in or relating to examination, operating, or condition reports prepared by or for an agency responsible for the regulation or supervision of financial institutions or securities, or both." See Open Records Decision No. 147 (1976). Accordingly, the department may withhold the requested information from the requestor.<sup>1</sup>

We are resolving this matter with this informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and may not be relied upon as a previous determination under section 552.301 regarding any other records.

---

<sup>1</sup>Having concluded that section 552.112 applies to the requested information, we need not address your section 552.101 claim.

If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, appearing to read "Kay Guajardo". The signature is fluid and cursive, with the first name "Kay" written in a larger, more prominent script than the last name "Guajardo".

Kay Guajardo  
Assistant Attorney General  
Open Records Division

KHG/rho

Ref.: ID# 34919

Enclosures: Submitted documents

cc: Mr. James R. Hickman, CPA  
Hickman & Company  
Texas Commerce Bank Building  
5050 Quorum Drive, Suite 700  
Dallas, Texas 75240  
(w/o enclosures)